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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,717	11/21/2003	Sung-Su Jung	8734.261.00 US	8857

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MCKENNA LONG & ALDRIDGE LLP
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WASHINGTON, DC 20006

EXAMINER

FLETCHER III, WILLIAM P

ART UNIT	PAPER NUMBER
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1762

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/717,717	Applicant(s) JUNG ET AL.	
	Examiner William P. Fletcher III	Art Unit 1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11, 12 and 14-16 is/are allowed.
- 6) ☒ Claim(s) 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/16/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges Applicant's amendment and remarks filed December 6, 2006.
2. Claims 1-16 remain pending.

Election/Restrictions

3. Claims 1-10 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 22, 2006.

Response to Arguments

Drawings

4. Applicant's arguments filed December 6, 2006, with respect to the objection to the Drawings, set-forth in the prior Office action, have been fully considered but they are not persuasive. Applicant argues:

The Examiner requests that Figs. 1-4 be labeled as "Prior Art", however, Applicants note that the Figures do not depict the prior art but rather an aspect of an embodiment of the present invention. Accordingly, Applicants do not alter the drawings in the response and respectfully request the Examiner to withdraw the objection to the drawings.

The Examiner acknowledges this argument, but the instant Specification belies Applicant's assertions:

- A. Applicant refers to Figures 1-4 solely in the Background to the Invention: Related Art section.

B. Applicant distinguishes between the "related art" of Figures 1-4 and the illustration of the "present invention" of Figures 5 and 6 in the Brief Description of the Drawings.

C. Figures 1-4 are labeled "Related Art" which is not a proper identifier for Drawings. See MPEP 608.02.

Points A and B suggest that Figures 1-4 are, indeed, prior art and not an aspect of the present invention. In any event, as noted in point C, Applicant has mislabeled Figures 1-4 and must correct them.

Specification

5. Applicant's arguments, see the remarks, filed December 6, 2006, with respect to the objection to the Abstract, set-forth in the prior Office action, have been fully considered in light of Applicant's amendment and are persuasive. The objection is withdrawn.

Claim Rejection – 35 USC 112

6. Applicant's arguments, see the remarks, filed December 6, 2006, with respect to the rejection of the claims under 35 USC 112, set-forth in the prior Office action, have been fully considered in light of Applicant's amendment and are persuasive. The rejection is withdrawn.

Information Disclosure Statement

7. The information disclosure statement (IDS) submitted on October 16, 2006, was filed after the mailing date of the first Office action on September 7, 2006. The

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submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

8. Figures 1-4 should be designated by a legend such as - - Prior Art - - because only that which is old is illustrated. See MPEP 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to this Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the Examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. Claim 13 recites the limitation "the second image camera" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

11. Claims 11, 12, and 14-16 are allowed.

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12. Claim 13 would be allowable in its current, dependent form, if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

13. The following is a statement of reasons for the indication of allowable subject matter: While Applicant has provided ample evidence of the application of sealing material and documented the application of two alignment marks to a single dummy substrate (see Fig. 4), the prior art neither teaches nor suggests the application of a first alignment mark to a first dummy substrate, followed by detection thereof, and application of a second alignment mark to a second dummy substrate, followed by detection thereof.

Conclusion

14. The prompt development of clear issues in the prosecution history requires that applicant's reply to this Office action be fully responsive (MPEP § 714.02). When filing an amendment, applicant should specifically point out the support for any amendment made to the disclosure, including new or amended claims (MPEP §§ 714.02 & 2163). A fully responsive reply to this Office action, if it includes new or amended claims, must therefore include an explicit citation (i.e., page number and line number) of that/those portion(s) of the original disclosure which applicant contends support(s) the new or amended limitation(s).

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Fletcher III whose telephone number is (571)

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272-1419. The examiner can normally be reached on Monday through Friday, 0900h-1700h.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



William Phillip Fletcher III
Primary Examiner
Art Unit 1762

March 4, 2007